

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALEX BARAJAS,)	
)	
Petitioner,)	No. C 10-2974 CW
)	
v.)	ORDER TO SHOW
)	CAUSE
)	
GREG LEWIS, Warden, Pelican State)	
Prison, California,)	
)	
Respondent,)	

PEOPLE OF THE STATE OF CALIFORNIA,)
Real Party in Interest.)

Petitioner, a State prisoner, has filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Good cause appearing, the Court hereby issues the following orders:

1. The Clerk of the Court shall serve a copy of this Order and the petition and all attachments thereto upon Respondent and Respondent's attorney, the Attorney General of the State of California.

2. Respondent shall file with this Court and serve upon Petitioner and his attorney within sixty (60) days of the issuance of this Order, an Answer conforming in all respects to Rule 5 of the Rules Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be issued. Respondent shall file with the Answer a copy of all portions of the relevant state records that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

1 3. If Petitioner wishes to respond to the Answer, he shall
2 do so by filing a Traverse with the Court and serving it on
3 Respondent within thirty (30) days of his receipt of the Answer.
4 Should Petitioner fail to do so, the petition will be deemed
5 submitted and ready for decision sixty (60) days after the date
6 Petitioner is served with Respondent's Answer.

7 4. Respondent may file a motion to dismiss on procedural
8 grounds in lieu of an Answer, as set forth in the Advisory
9 Committee Notes to Rule 4 of the Rules Governing Section 2254
10 Cases. If Respondent files such a motion, Petitioner shall file
11 with the Court and serve on Respondent an opposition or statement
12 of non-opposition to the motion within thirty (30) days of receipt
13 of the motion, and Respondent shall file with the Court and serve
14 on Petitioner and his attorney a reply within fifteen (15) days of
15 receipt of any opposition.

16 5. Extensions of time are not favored, though reasonable
17 extensions will be granted. Any motion for an extension of time
18 must be filed no later than ten (10) days prior to the deadline
19 sought to be extended.

20
21 IT IS SO ORDERED.

22
23 DATED: July 15, 2010



CLAUDIA WILKEN
United States District Judge